



DPW

PATENT  
Docket No.2080-3-219

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Jin Hong Kim et al.

Art Unit: 2655

Examiner:

Serial No: 10/758,167  
Filed: January 14, 2004  
For: OPTICAL DISK AND METHOD FOR MANUFACTURING  
THE SAME

**TRANSMITTAL OF INFORMATION DISCLOSURE  
STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 14, 2005

Date of Deposit

  
George W. Luckhardt

10/14/2005

In accordance with 37 CFR § 1.56 and 1.97, enclosed please find a copy of Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application.

1. Non-English Language References

☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.

☐ The specification incorporates comments on the relevancy of Non-English language references.

☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

2. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the national application other than a continued prosecution application (CPA) or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 1.114 whichever event occurs last. 37 C.F.R. § 1.97(b) (as amended September 2000).

3. ☐ The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the

first Office Action on the merits, whichever event occurred last but *before* the mailing date of either: 37 C.F.R. § 1.97(c) (as amended September 2000).

- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311, whichever occurs first.

**STATEMENT OR FEE**

A. Included with this transmittal is

- i. ☐ a certification (set forth below) in accordance with 37 C.F.R. § 1.97(e). (If for any reason the certificate set forth below should be unsatisfactory, the Commissioner is provisionally authorized to charge the \$180 fee (37 C.F.R. § 1.17(p)) to Deposit Account No. 502290. A copy of this sheet is enclosed.)

**OR**

- ii. ☐ the attached fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

- 4. ☐: The information disclosure statement transmitted herewith is being filed *after* a final action under § 1.113 or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with the payment of the issue fee. 37 C.F.R. § 1.97(d) (as amended September 2000).

**STATEMENT AND FEE**

A. In accordance with the requirements of 37 C.F.R. § 1.97(d):

- i. Set forth below is a certification as specified in 37 C.F.R. § 1.97(e); **AND**
- ii. Applicant submits the petition fee set forth in § 1.17(p). (\$180.00).

**STATEMENT**

(Required if 3Ai or 4 above is marked)

5. I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. § 1.97(e)(1).

**OR**

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. § 1.97(e)(2).

6. If it should be determined that for any reason either an insufficient fee or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 502290. A copy of this petition is enclosed.

Respectfully submitted,

Lee, Hong, Degerman, Kang & Schmadeka

Date: October 14, 2005

By: 

George W. Luckhardt  
Registration No. 50,519  
Attorney for Applicant(s)

801 S. Figueroa Street, 14<sup>th</sup> Floor  
Los Angeles, California 90017  
Telephone: 213-623-2221  
Facsimile: 213-623-2211

~~Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.~~

<div style="text-align: center;"> <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> </div> <div style="text-align: center;">           (Use as many sheets as necessary)         </div>				Application Number	10/758,167
				Filing Date	January 14, 2004
				First Named Inventor	Jin Hong Kim et al.
				Art Unit	2855
				Examiner Name	
				Attorney Docket Number	2080-3-219
Sheet	1	of	1		

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sub>6</sub>
		JP 2001-56959 A	02/27/2001			
		JP 2001-310358 A	11/06/2001			
Examiner Signature			Date Considered			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, if you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2. \*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*